IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 19956 of 2007(A)

PETITIONER:

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1. PANJOS GARDEN APARTMENT OWNERS ASSOCIATION, REG.NO.89/06, PANJOS GARDEN, PADIVATTOM, KOCHI-24, REPD. BY ITS PRESIDENT, GEORGE MATHEW, AGED 37 YEARS, S/O.MATHEW, RESIDING AT FLAT NO.10 F, PANJOS GARDEN APARTMENT COMPLEX.

2. GEORGE MATHEW, AGED 37 YEARS, S/O.V.M.MATHEW, RESIDING AT FLAT NO. 10 F PANJOS GARDEN APARTMENT COMPLEX, PADIVATTOM KARA, KANAYANNUR TALUK, ERNAKULAM DISTRICT.

3. GEORGE M.JACOB, AGED 60 YEARS, S/O.O.V.JACOB, RESIDING AT FLAT NO. 14 B, PANJOS GARDEN APARTMENT COMPLEX, PADIVATTOM KARA, KANAYANNUR TALUK, ERNAKULAM DISTRICT.

4. DR.MANOJ GEORGE PANICKER, S/O.C.T.CHACKO PANICKER, FLAT NO.15B, PANJOS GARDEN APARTMENT COMPLEX, PADIVATTOM KARA, KANAYANNUR TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.P.SANJAY
SRI.A.PARVATHI MENON

RESPONDENTS:

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1. THE ASST.EXECUTIVE ENGINEER, KERALA STATE ELECTRICITY BOARD, ELECTRICAL MAJOR SECTION, PALARIVATTOM.

2. PANJOS BUILDERS PVT.LTD.NO.2106, IST FLOOR, INTERNATIONAL STADIUM, KALOOR, KOCHI-17, REPD.BY ITS MANAGING DIRECTOR, JOSE MANI.

3. JOSE MANI, S/O.LATE K.I.MANI, AGED 50 YEARS, MANAGING DIRECTOR, PANJOS GARDENS, NO.2106, IST FLOOR, INTERNATIONAL STADIUM, KALOOR, KOCHI-17.

4. THE SECRETARY,
CORPORATION OF KOCHI.

5. THE DISTRICT COLLECTOR, ERNAKULAM.

BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B
SRI.V.M.KURIAN
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/10/2007,ALONG WITH O.S. 6 OF 2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF THE MINUTES OF THE MEETING

EXT.P2- A TRUE COPY OF THE LAWYER NOTICE DATED 22.5.2006

EXT.P3- TRUE COPY OF THE REPLY NOTICE DATED 2.6.2006.

EXT.P4- A TRUE COPY OF THE PLAINT IN O.S.704/2007 BEFORE THE CIVIL COURT DATED 1.6.02

EXT.P5- A TRUE COPY OF THE I.A.43346/07 DATED 1.6.07

EXT.P6- TRUE COPY OF THE INJUNCTION ORDER BY THE MUNSIFF'S COURT, EKM.

EXT.P7- TRUE COPY OF THE ELECTRICITY OBILL DATED 12.6.07

EXT.P8- TRUE COPY OF THE COVERING LETTER OF THE THIRD RESPONDENT DATED 23.6.07

EXT.P9- TRUE COPY OF THE REPLY ISSUED BY THE 1ST PETITIONER DATED 25.6.07

EXT.P10- TRUE COPY OF THE REPRESENTATION MADE BY THE PETITIONERS DATED 25.6.07.

(TRUE COPY)

P.A TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 19956 of 2007

Dated, this the 14th day of August, 2007

O R D E R

Separate electric connection for each flat was not given for the reason that Corporation has not given numbers to the flats. Since it is stated in the Court by the learned counsel for the Corporation that flats are separately numbered, it is for each flat owner to apply for separate connection after complying with the formalities and take separate connection. Two weeks' time is granted to each of the flat owners to take separate connection. Since flat owners are enjoying electricity connection, KSEB will give separate connection on the application of the flat owners without any delay. There will be stay against disconnection of supply to the flats for two weeks. However, if separate connections are not taken by the flat owners, supply taken from the common facility will be disconnected.

Post after vacation.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg